Case 4:22-cv-00343-Y Document 1-1 Filed 04/20/22 Page 1 of 5 PageID 28

Association of Professional Flight Attendants

Representing the Flight Attendants of American Autines

November 24, 2020

Via Email and Return Receipt Certified Mail #7019 1120 0000 0179 3144

Mr. Bob Ross

RE: Overpayment of Wages

Dear Mr. Ross:

I am sending this letter to follow-up on our telephone conversation on November 10, 2020. During our call, we discussed the finding of the APFA Board of Directors that you were overpaid in the amount of \$5,436.47 in 2018. The Board's finding was based on the results of a review from an independent accounting firm which determined that the formula used to determine the daily rate for your sick and vacation payout was incorrect. (See Schedule C, enclosed).

On or before January 1, 2021, please remit payment (via check, money order, cashier's check, or credit card) to APFA in full or contact me to discuss payment arrangements.

Please contact me at growing or concerns or concerns. Thank you for your prompt cooperation.

Sincerely,

Erik Hams

National Treasurer

Enclosure

CC: APFA Board of Directors

APFA Executive Committee Margot Nikitas, General Counsel

Exhibit A

Α

Bob Ross - National President Pay

116 hours paid monthly at the highest purser pay including international overide, per the policy manual.

| * | Maximum flight attendant pay | | 60.13 | | |
|---------|------------------------------------|------------|------------|----------------|-----------|
| | Purser Pay | | 7.50 | | |
| | International pay | | 3.75 | | |
| | | | 71.38 | 116 hours | 8,280.08 |
| | Bi-monthly pay 4/1/16 - 12/31/16 | | _ | | 4,140.04 |
| | | | | | |
| Set Set | Maximum flight attendant pay | | 61.33 | | |
| | Purser Pay | | 7.50 | | |
| | International pay | | 3.75 | | |
| | | | 72.58 | 116 hours | 8,419.28 |
| | | | | | 1000 01 1 |
| | i-monthly pay - 1/1/17 - 5/1/17 | T | 1 | | 4,209.64 |
| | | 101,031.36 | _ | • | |
| | | 276.80 | Pally rate | for sick and v | racation |
| 187 | Maximum flight attendant pay | | 64.96 | | |
| | Purser Pay | | 7.50 | | |
| | International pay | | 3.75 | | |
| | | | 76.21 | 116 hours | 8,840.36 |
| | BI-monthly pay - 5/2/17 - 12/31/17 | | _ | | 4,420.18 |
| | | 106,084.32 | Annual sa | atary | |
| | | 290.64 | - | for sick and v | acation |
| *** | Maximum flight attendant pay | | 66.26 | | |
| | Purser Pay | | 7.50 | | |
| | International pay | | 3.75 | | |
| | incornational pay | | 77.51 | 116 hours | 8,991.16 |
| | (i-month) ypay - 1/1/18 - 7/31/18 | | | | 4,495.58 |
| | | 107,893.92 | nnual sa | alary | |
| | | 295.60 | paily rate | for sick and v | acation |

^{*} Pay rates effective 4/1/16

Exhibit A

^{**} Pay rates effective 1/1/17 - 5/1/17

^{***} Pay rates effective 5/2/17 - 12/31/17 (1.6% Increase)

^{****} Pay rates effective 1/1/18 - 7/31/18

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|---------------------------|---------------|-------------------------|-------------------|---------------------------------------|--------------------|--------------------|-----------|-----|
| Oust 1 | | 9 0343 Y Doc | B - | - | ZOIZZ i | age 5 or 5 | Tagerboo | 1 |
| | | 7 | | | | | | |
| National Officer: | r: Bob R | Ross | 4 | 1 | | | | |
| | il | | | | | | | |
| | | Annual | Daily amount | Eligible | | | | |
| | 1 1 | | (divide by 365) | | Payment | | | |
| | i | | | | | | | |
| Profit Sharing - 2016 | | | | | 2,652.22 | (paid 3/10/17) | | |
| | | | | | 160 | | | |
| Vacation Pay - 2017 | | 757.00 | | 10 | 2 275 20 | | | |
| | 1 | \$ 101,031.36 | 276.80 | 14 | 3,875.20 | (paid 3/31/17) | | |
| | 11 | 1 | 4 | + | | - | | - |
| Sick Pay - 2017 | | + | + | | | ++ | + | + + |
| MCR Pay - 4- | | \$ 101,031.36 | 276.80 | 12 | 3,321.60 | (poid 3/31/17) | | 1 |
| | | | | W.S | - | Ibou 4 | | |
| Retro - Wage Arbitra | ation Award | 1.6% | | | 918.72 | (paid 6/1/17) | | |
| | | | | | | | | |
| Triple Play Grand Sla | am | | | | 300.00 | (paid 7/6/17) | | |
| | | | | | | | | |
| Grand slam | | 1 | 2 | y | 150.00 | (pold 1/25/18) | | |
| (Additiona | 1\$50 grand s | slam paid on 2/15/18 | salary check) | 4 7 | | | | |
| T. Charles | | | \longrightarrow | - | 2 450 10 | | | |
| 2071 Profit Sharing | -++ | | | - | 2,458.19 | (pah 3/9/18) | | |
| | | | 1 | 1 | - | | | |
| Macation & Sick Pay | - 2017 - ladi | Justment paid in 2018) | - | | 968.76 | (pold 3/29/2018) | | |
| Pacation of arms, | . 2017 | Suberit paid | 1 | | 30011 | (0010 3/292020) | | + |
| Vacation Pay - 2017 | / fremaining/ | unused days per agree | rement) | | | 1 1 | | |
| 700011011 | | \$ 114,632.67 | | 17 | 5,339.02 | (pold 3/29/2018) | | |
| | | T | | | | | | |
| | | 1 | | | | | | |
| Vacation Pay - 2018 | (remaining v | unused days per agree | | | | | | |
| | | \$ 122,121.70 | | | | (pold 3/29/2018) | | |
| 1 | -++ | (Paid in two check | ks in the amount | t of \$4,851.41 each | 4 | | | |
| 2010 | \rightarrow | | 4 | + | | | | + |
| Sick Pay - 2018 | - | \$ 122,121.69 | 334.58 | 12 | 4 014 96 | (pold 3/29/2018) | 77 14. | |
| | | \$ 122,121.05 | 334.50 | - | 4,014.50 | (poid 3/29/2010) | | - |
| | | | + | | | 1 | | |
| Ford of Term Payou | - 2017 Uanv | uary 1 - December 31, | 7017) | | | | | |
| | | \$ 118,046.02 | | 35 | 11,710.30 | (pold 3/29/2018) | 14) 140 | |
| | | | | t of \$3,903.43 each | | | | |
| | | | | | | | | |
| | | | | | | · · | | |
| End of Term Payout | 2018 (Janu) | uary 1 - July 31, 2018) | | | | | | |
| | | \$ 118,046.02 | | | | 2 (pold 3/29/2018) | | |
| 1 | | (Pald in two check | ks in the amount | tof \$3,419.41 each | 4 | | | |
| - 2 - Land 2018 | - | | 4 | · · · · · · · · · · · · · · · · · · · | 1 402 00 | 1 - 250 | | |
| Profit sharing 2018 | | 1 | | | 1,405.55 | (paid 3/8/19) | | |

| National Officer: B | ob Ross | | | Overpayment Calculation | | | | | |
|------------------------------|--------------------------------|-------|---------------|-------------------------|-------------|-----|-----------|-----|------------|
| | | | | | | | | | |
| | | | | | | | | | |
| | | | Annual | Daily amount | Eligible | | | | |
| | | | Salary | (divide by 365) | Days to pay | | Payment | | |
| Vacation Pay - 2017 | | | | | | | | | |
| Original amount | | \$ | 101,031.36 | 276.80 | 14 | ·- | 3,875.20 | OK | (pald 3/3: |
| | | - | | | Overpayment | \$ | • | | \$ |
| Sick Pay - 2017 | | + | | | | | = | - | |
| Original amount | mount | | 101,031.36 | 276.80 | 12 | \$ | 3,321.60 | OK | (paid 3/3 |
| | | - | | | Overpayment | \$ | • | | \$ |
| Vacation & Sick Pay - 2017 - | - (adjustment paid | in 2 | 018all paid i | n error) | Overpayment | \$ | 968.76 | | \$ |
| Vacation Pay - 2017 (remain | ning unused days | pera | greement) | | 1 | | | | |
| Original amount - | paid in error (a) | \$ | 114,632.67 | 314.06 | 17 | \$ | 5,339.02 | (pa | id 3/29/2 |
| Correct calculation | Iculation amount | | 101,031.36 | 276.80 | 17 | \$ | 4,705.60 | - | |
| | | | | | Overpayment | \$ | 633.42 | | \$ |
| Vacation Pay - 2018 (remain | ning unused days | per a | greement) | | | | | | |
| Original amount - | aid in error (a) \$ 122,121.70 | | | 334.58 | 29 | \$ | 9,702.82 | (pa | id 3/29/2 |
| Correct calculation | lation amount | | 107,893.92 | 295.60 | 29 | \$ | 8,572.40 | | |
| | | | | | Overpayment | \$_ | 1,130.42 | | \$ 1 |
| Sick Pay - 2018 | | | | | | | | | - |
| Original amount - | paid in error (a) | \$ | 122,121.69 | 334.58 | 12 | \$ | 4,014.96 | (pa | ld 3/29/2 |
| Correct calculation | lation amount | | 107,893.92 | 295.60 | 12 | \$ | 3,547.20 | | 1 |
| | | 1 | | | Overpayment | \$ | 467.76 | | \$ |
| End of term payout - 2017 (| January 1 - Decer | nber | 31, 2017) | W74 | | - | - | - | |
| Original amount - | | \$ | 118,046.02 | 334.58 | 35 | \$ | 11,710.30 | (pa | ld 3/29/2 |
| Correct calculation | | \$ | 107,893.92 | 295.60 | | - | 10,346.00 | | |
| | i | | | | Overpayment | \$ | 1,364.30 | | \$: |

| and the state of t | | ı | | * | 75.06 (based on 1.4%) | | |
|--|-------------------------------------|--|-------------|----------------------|--|---------------------------------|------------------------------------|
| | 6,838.82 (paid 3/29/2018) | The second secon | \$ 796.75 | \$ 5,361.41 | \$ 75.06 | \$ 5,436.47 | 7 4 5 |
| | (paid | | | | | | |
| | 6,838.82 | 6,042.06 | 796.75 | | * | | |
| | s | ş | w | btota | ove | | |
| | 20.44 \$ | 20.44 \$ | Overpayment | Overpayment subtotal | xcess amount ab | PFA | |
| 2. | 334.58 | 295.60 | | | (3/8/2019) on e | ent - due to A | |
| (8) | 118,046.02 | 107,893.92 | | | Add 2018 profit-sharing contribution paid (3/8/2019) on excess amount above ** | Total overpayment - due to APFA | |
| 1, 201 | \$ | ŝ | | | haring | ٢ | |
| July 3 | r (a) | | | | ofit-sl | | |
| End of term payout - 2018 (January 1 - July 31, 2018 | Original amount - paid in error (a) | Correct calculation amount | | | Add 2018 pr | | (a) - included union pay (MEA/SAF) |
| nd of ter | | | | | | | (a) - inclu |

Exhibit A